

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:25-cr-00135
Plaintiff,	)	JUDGE DONALD J. NUGENT
-vs-	)	
	)	
MICHAEL NAWALENIEC,	)	<b><u>MOTION FOR BILL OF</u></b>
	)	<b><u>PARTICULARS</u></b>
Defendant.	)	

NOW COMES the Defendant, Michael Nawaleniec, by and through his undersigned legal counsel, Rodger A. Pelagalli Co., L.P.A., and moves this Honorable Court pursuant to Rule 7 of the Federal Rules of Criminal Procedure, to order the Prosecuting Attorney to furnish a Bill of Particulars as it applies to the Indictment. Said Bill of Particulars to contain the following information:

1. The time the alleged offense(s) was/were committed;
2. The place where the alleged offense(s) was/were committed;
3. The specific conduct alleged which constitutes the offense as charged in the Indictment.

Respectfully Submitted,

/s/rodger a. pelagalli/

RODGER A. PELAGALLI (0034530)  
Rodger A. Pelagalli Co., L.P.A.  
4700 Rockside Road, Suite 320  
Independence, Ohio 44131  
(440) 845-3030 (phone/fax)  
RAPcoLPA@gmail.com

*Attorney for Defendant*

**BRIEF IN SUPPORT**

The Defendant, by and through Counsel, states that the Indictment does not adequately state the time or place of the offense, and further, that the Indictment is indefinite as to the content and conclusions; therefore, Defendant is unable from a reading of said Indictment to reasonably know the time, place and nature and cause of the charge against him.

The matters and particulars herein above requested are essential to enable the Defendant to be adequately apprised of the nature and scope of the accusations against him (as guaranteed by the Sixth Amendment to the Constitution), to have an opportunity to adequately prepare his defense, to avoid prejudicial surprise at trial, to clarify the issues herein and avoid any confusion and delay at trial, and to enable him to be protected against a second prosecution for the same offense and plead double jeopardy thereto as guaranteed by the Fifth Amendment to the Constitution.

The Defendant further respectfully moves that this Honorable Court direct that as to any items in this Motion concerning which the Government shall state in its Bill of Particulars that its knowledge or information is incomplete, the Government shall set forth in its Bill of Particulars whatever knowledge and information it may have and shall furnish further particulars upon obtaining further knowledge or information prior to trial, and that the Defendant shall have such further and other relief as this Honorable Court may deem just and proper.

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion for a Bill of Particulars was forwarded *via* the Court's electronic filing system to AUSA Michelle Baeppler on this 30th day of April, 2025.

Respectfully Submitted,

/s/rodger a. pelagalli/

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